

United States Court of Appeals
For the Eighth Circuit

No. 17-2491

United States of America

Plaintiff - Appellee

v.

Aldreias Campbell

Defendant - Appellant

Appeal from United States District Court
for the Northern District of Iowa - Waterloo

Submitted: February 2, 2018

Filed: February 9, 2018

[Unpublished]

Before WOLLMAN, LOKEN, and COLLOTON, Circuit Judges.

PER CURIAM.

In this direct criminal appeal, Aldreias Campbell challenges the sentence the district court¹ imposed following his guilty plea to a drug charge. On appeal, his

¹The Honorable Linda R. Reade, United States District Judge for the Northern District of Iowa.

counsel has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the district court erred at sentencing by departing upward under U.S.S.G. § 4A1.3(a), and that Campbell's sentence is substantively unreasonable.

We conclude that the district court did not abuse its discretion in departing upward, because it took into account the number and severity of Campbell's unscored convictions, and his likelihood to recidivate, see U.S.S.G. § 4A1.3(a); United States v. Vasquez, 552 F.3d 734, 738 (8th Cir. 2009) (standard of review); and that the sentence was not substantively unreasonable, as the court properly considered and individually assessed several 18 U.S.C. § 3553(a) factors, and there was no indication that it overlooked a relevant factor, or committed a clear error of judgment in weighing relevant factors, see United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc) (standard of review).

Furthermore, we have independently reviewed the record under Penson v. Ohio, 488 U.S. 75 (1988), and have found no non-frivolous issues for appeal. Accordingly, we grant counsel's motion, and affirm.
